

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of Southern California Gas Company (U 904 G) and San Diego Gas and Electric Company (U 902 M) for Authority to Continue Funding of LEV Programs.

Application 02-03-047

Application of Southern California Edison Company (U 338 E) to Extend the Operation of its Electric Vehicle Adjustment Clause Mechanism and Related Accounts Until the Date of the Commission's Final Decision in SCE's Test Year 2003 General Rate Case Proceeding.

Application 02-03-048

Application of Pacific Gas and Electric Company for Review of and Authorization for Recovery of Costs Relating to its Low Emission Vehicle (LEV) Program for 2002 through 2005. (U 39 E)

Application 02-03-049

**ADMINISTRATIVE LAW JUDGE'S RULING DENYING
REQUEST OF ENRG TO FILE BRIEFS IN THIS PROCEEDING**

I have received the attached letter from Andrew J. Littlefair, CEO and President, ENRG, which requests authorization to file briefs in this proceeding. ENRG also asks the Commission to treat the attached letter as an opening brief.

ENRG's request to participate in this proceeding by filing briefs is denied as untimely. Under Rule 44.1 of the Commission Rules of Practice and Procedure (Rules), parties may protest an application within 30 days after notice of the

filing of the application first appears in the Commission Daily Calendar.

Although parties are generally encouraged to appear early in a proceeding, such as at the prehearing conference, Rule 53 permits interested persons to petition for intervention in Commission proceedings, and Rule 54 permits parties to appear at the hearing under certain circumstances, if authorized by the presiding officer. However, here, ENRG has not previously petitioned for intervention, appeared in this proceeding, or requested authorization to do so. The Rules do not provide for post-hearing appearances by new parties. Moreover, ENRG's letter appears to raise factual issues, and other parties have not had the opportunity to cross-examine ENRG witnesses at the hearing.

IT IS SO RULED.

Dated October 10, 2002, at San Francisco, California.

/s/ Myra Prestidge

Myra J. Prestidge
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Request of ENRG to File Briefs in this proceeding on all parties of record in this proceeding or their attorneys of record.

Dated October 10, 2002, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

